## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF PENNSYLVANIA PITTSBURGH DIVISION

R. CATHY REARDON	
On behalf of herself and all	)
similarly situated individuals,	)
	)
Plaintiffs,	) Civil Action No. 2:08-cv-1730MRK
v.	)
CLOSETMAID CORPORATION,	) Hon. Judge Mark R. Hornak
	)
Defendant.	Class Action

## PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE WITNESS TESTIMONY THAT IS NOT BASED ON PERSONAL KNOWLEDGE

Pursuant to Federal Rules of Evidence 602 and 802, the Plaintiff, R. Cathy Reardon, on behalf of herself and the class, moves to exclude the testimony of all of the Defendant's witnesses to the extent that their knowledge is based upon a review of ClosetMaid's internal records and not on their own experience and personal knowledge.

## Respectfully submitted,

By: s/James M. Pietz

James M. Pietz

Pa I.D. No. 55406

Pietz Law Office LLC

429 Forbes Ave., Suite 1710

Pittsburgh, PA 15219

412-288-4333

E-mail: jpietz@jpietzlaw.com

Leonard A. Bennett, Esq. Consumer Litigation Associates 763 J. Clyde Morris Boulevard Suite 1-A Newport News, VA 23601 (757) 930-3660

E-mail: lenbennett@clalegal.com

Christopher North. Esq. 751-A Thimble Shoals Blvd. Newport News, VA 23606 (757) 873-1010 E-mail: cnorthlaw@aol.com

Counsel for the Representative And Class Plaintiff

## **CERTIFICATE OF SERVICE**

I hereby certify that, on this 27<sup>th</sup> day of November, 2013, I caused a true and correct copy of Plaintiff's Motion *In Limine* to Exclude Witness Testimony Not Based on Personal Knowledge to be served by way of ECF Notification upon the following counsel of record for the Defendant:

W. Scott Hardy Ogletree, Deakins, Nash, Smoak & Stewart, P.C. One PPG Place, Suite 1900 Pittsburgh, PA 15222

E-mail: scott.hardy@ogletreedeakins.com

Philip K. Kontul Ogletree, Deakins, Nash, Smoak & Stewart, P.C. One PPG Place, Suite 1900 Pittsburgh, PA 15222

E-mail: Philip.kontul@ODNSS.com

s/James M. Pietz

James M. Pietz
Pa I.D. No. 55406
Pietz Law Office LLC
429 Forbes Ave., Suite 1710
Pittsburgh, PA 15219
412-288-4333

E-mail: jpietz@jpietzlaw.com